

The Massachusetts Smoke-Free Workplace Law

Four-Year Report
2004-2008

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Make smoking history.



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information are available at
www.mass.gov/dph/mtcp.



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Introduction

Massachusetts Smoke-Free Workplace Law

In 2004, Massachusetts enacted the Smoke-Free Workplace Law, mandating that all enclosed workplaces with one or more employees be smoke-free. The law went into effect on July 5, 2004. At the time Massachusetts was among the first states in the nation to implement such a law. Now 24 states, Washington D.C. and Puerto Rico have enacted similar laws. The intent of the law was to protect workers from exposure to secondhand smoke in enclosed spaces. The full text of the law and additional information is available at www.mass.gov/dph/mtcp.

As required by Ch. 270, §22, this report is being submitted by the Massachusetts Tobacco Control Program (MTCP) to inform the Legislature on the implementation of and compliance with the Smoke-Free Workplace Law. Information to be discussed includes: the number of citations, information on fines issued and collected, compliance rates, trends in inquiries, the effectiveness of the law and enforcement challenges. Information required by law, and attached as appendices, include the workplaces which have been issued citations, and the amount each workplace has been fined.

Summary:

- Compliance with the Smoke-Free Workplace Law is over 94%.
- Over the past 3 years the number of observed violations has decreased while the number of fines given by boards of health has increased indicating an increasing understanding and acceptance of the Smoke-Free Workplace Law by local boards of health.
- The number of complaints reported to the statewide Smoke-Free Workplace Law complaint line has decreased in each year after the passage of the Workplace Law, indicating high compliance.
- The topic of complaint line calls has shifted from areas covered by the Smoke-Free Workplace Law to areas not covered by the law such as buffer zones, smoking bans in private clubs and multi-unit housing. Again, this indicates a high understanding of and compliance with the workplace law.



Compliance with the Smoke-Free Workplace Law


Independent Compliance Study

- Over 94% of workplaces were in compliance with all of the smoking provisions of the Smoke-Free Workplace Law.
- Out of nearly 400 worksite observations active smoking was found in only 2 locations.
- The odor of smoke/smoke migration back into the workplace was present at only 21 worksites.
- Compliance with the Smoke-Free Workplace Law's signage requirements was low. Only 25% of worksite lobbies and only 20% of outside entrances had "no smoking" signs visible.

In the fall of 2007, MTCP contracted with the research division of John Snow Inc (JSI) to conduct an observational study of compliance with the Smoke-Free Workplace Law within the state. A sample of 600 worksites across the state was generated by the Department of Public Health from a master list of 7000 businesses. The master list included a range of workplaces such as restaurants, churches, auto repair shops, schools, insurance companies, retail stores, hairdressers, large businesses and non-profits. The study looked for evidence of smoking at 3 separate vantage points of the workplace: outside of the main entrance, inside the lobby (if there was one), and inside the designated workplace at the reception area. Investigators looked for evidence:

- A visible "no smoking" sign;
- Ashtrays;
- Cigarette butts on the ground/floor
- The odor of cigarette smoke in the lobby or workplace; and
- People smoking.

Data collection began November 19, 2007 and continued for a month through December 19. Overall, 387 worksite entrances, 194 lobbies and 306 within workplace reception areas (see Table 1) were observed. Of the original sample of 599 businesses, 212 were excluded since, for various reasons, observations could not be made.



Outside of the workplace, one third of the sites (32.1%) were observed to have cigarette butts on the ground near the entrance and (17.9%) were observed to have an ashtray near the entrance. This indicates that employees and visitors are smoking outside of the workplace. Only 17.6% of the worksites had “no smoking” signs visible at the front door or entrance to the building. The law requires all workplaces to have “no smoking” signs posted.

Over half (57%) of the worksite locations visited had a lobby outside the worksite itself and of these 194 worksite lobbies only a quarter (25.8%) were found to have a “no smoking” sign visible in the lobby. Only a few (4.1%) of these lobbies were noted to have an odor of smoke in the lobby. Any migration of smoke in to the building from the outside, however, does constitute a violation of the Smoke-Free Workplace Law. Of those workplaces visited, not a single location with a posted “no smoking” sign had the odor of smoke in the lobby. However, the odor of smoke was detected in the lobby of nearly 5% of workplaces that did not have signs.

Observations were made in 306 workplaces (the reception areas) statewide. Only in 16.3% of the workplaces were “no smoking” signs visible at the entrance to the workplace. It was rare to see any ashtrays in the reception areas of the workplaces. Overall 4.3% of the reception areas statewide were noted as having an odor of smoke. There were regional differences with the Central region having the highest rates of 9.4% compared to almost none in the Western or Eastern regions (0.0% and 1.5% respectively). In only 1 workplace reception area out of the 306 observed was a person found to be smoking.



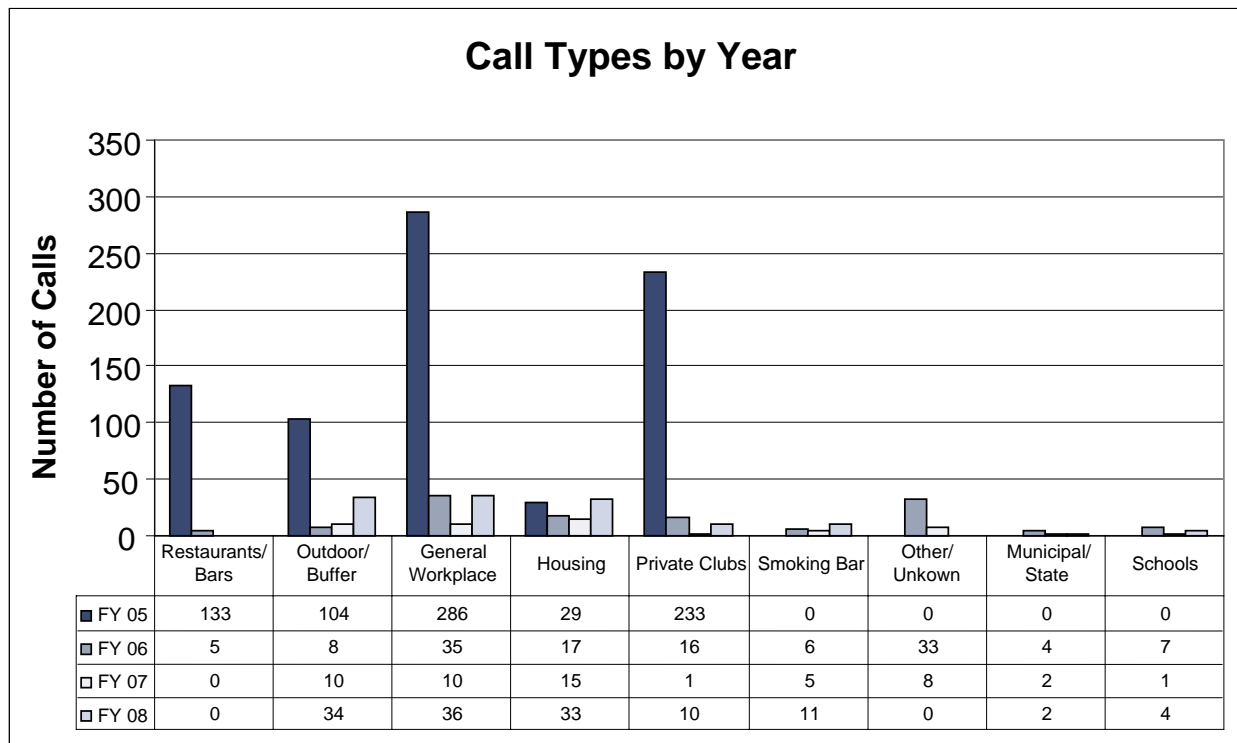
Complaints

The Massachusetts Tobacco Control Program established a toll-free complaint and information line to handle call volume related to the Smoke-Free Workplace Law. The number is published in fact sheets distributed to local boards of health and the public and was printed on “no smoking” signs distributed to businesses when the law was enacted. (These signs are available to print at www.mass.gov/dph/mtcp or can be ordered from www.maclearinghouse.com.)

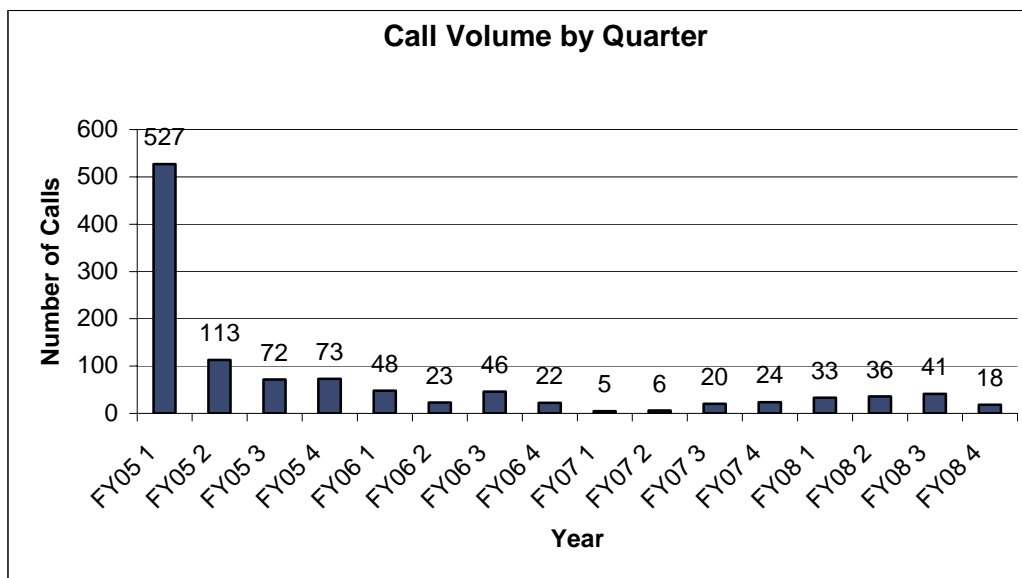
Complaints and information requests also come through the MTCP business line and via e-mail. For the purpose of this report, the volume of inquiries related to the Smoke-Free Workplace Law has been combined.

Information Requests

- Call trends indicate a high understanding of the law.
- Call topics have shifted from dealing with general workplace issues to more complex issues over the four years indicating an overall understanding of the law.
- The majority of calls in the most recent fiscal year deal with issues not covered by the law including buffer zones, smoking bans in private clubs, outdoor seating areas and multi-unit dwellings.




While the complaint line received a large number of calls directly after implementation, the line has seen a reduction in call volume over the subsequent years. Slight increases in call volume in 2008 were primarily due to an increase in the number of questions regarding secondhand smoke exposure in multi-unit housing.



1: July - September
 2: October - December
 3: January - March
 4: April - June

During FY05, the year the law was implemented, 785 inquiries were documented. The majority of the calls occurred in the month after the law was enacted. Call volume steadily decreased as the year progressed. Calls primarily concerned the law's effect on private clubs and general workplaces.

During FY06, call volume decreased to 139 inquiries spread throughout the year. While the majority of calls were still about private workplaces, the complaint line saw an increase in the percentage of calls requesting information on issues such as outdoor seating, schools, and smoking bars. A seasonal trend regarding questions about outdoor seating began to emerge. Though the complaint line was established to deal with questions and complaints pertaining to the Smoke-Free Workplace Law, the line



also receives calls from individuals seeking information or help with smoking and secondhand smoke exposure in private multi-unit dwellings. While the law does apply to common areas of multi-unit dwellings, its reach does not expand into private residences, including individual apartments or condos.

During FY07, call volume again declined. Only 55 calls were recorded. Questions were focused on buffer zones, outdoor seating and private housing.

Finally, in FY08, call volume increased to 128 as the number of calls about general workplaces, buffer zones and housing doubled. Most questions concerning general workplaces did not concern smoking within the workplace but rather smoke migrating back in to the workplace from smokers standing near entranceways or windows.



Violations of the Smoke-Free Workplace Law

Complaints and violations reported through the MTCP complaint line

- The number of observed violations has decreased each year.
- Over the three years, the number of boards of health willing to issue fines for violations increased, indicating an increased acceptance and familiarity with the law.

When a complaint comes into MTCP via the complaint line or internet, the complaint is logged into a database. A letter detailing the problem as well as inspection sheets are then faxed to the local board of health in the municipality where the alleged violation occurred. A letter is also sent to the workplace to alert them that a complaint has been made. The local board of health then completes the inspection and issues citations if a violation is found during their inspection. Records of the inspection are then faxed back to MTCP. On some complaints, no board of health action is taken. While MTCP does make an effort to follow up on complaints, some cases are closed due to a lack of response from the local board of health.

The Smoke-Free Workplace Law requires that for each violation the local board of health issue a ticket to the owner of the establishment in the amount of \$100 for the first offense, \$200 for the second offense within 2 years of the first violation and \$300 for the third or subsequent offense within 2 years of the second violation. A small number of municipalities, including Boston, have created local regulations under which the penalties for violations are higher. For example, in Boston the fine for a first offense is \$300, the penalty for a second offense is \$500 and the penalty for a third or subsequent offense is \$1,000. As MTCP's reporting structure does not delineate between municipalities utilizing more stringent fines, all fine totals reported here reflect the fine issued by the municipality whether it is on par with the statewide law, lower or higher.



Similarly, a number of municipalities have passed regulations that prohibit smoking in locations that are permitted under state law such as banning smoking in private clubs or licensed “smoking bars.” Again, the reporting structure for this report does not ask municipalities to distinguish between fines or citations issued for violations of the state law or citations issued for violations of local laws. As the number of municipalities with more stringent laws has risen in each year since the passage of the statewide law, it can be inferred that the number of violations reported that are for non-state law violations has also increased each year.

The board of health also has the authority to issue a civil penalty of \$100 per violation to any individual who is found to be violating the law by smoking in an enclosed workplace. The majority of boards do not utilize the individual ticket provision. Those that do utilize individual fines typically reserve their use to fining students smoking in public schools.

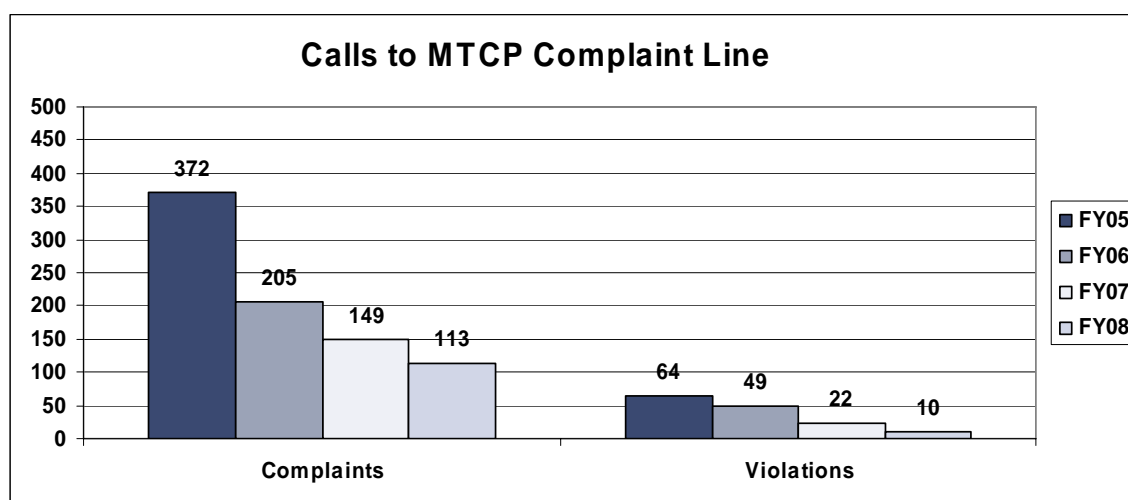
During the second half of FY05, once the Law became effective, 372 complaints were generated through the complaint line. Local boards of health found 64 violations, a violation rate of 17.2%. Of those, a warning was issued for 46 of the violations, a ticket was issued for 10 violations and boards of health did not report the outcome of the remaining 8 violations.

In FY06, 205 complaints were generated through the complaint line. Local boards of health found 49 violations, a violation rate of 23.9%. The violation rate is most likely higher for FY06 than FY05 due to the fact that the awareness of the law was lower in FY05. Of the 46 violations in FY06, a warning was issued for 23 violations, a ticket was issued for 13 violations and boards of health did not report the outcome of the remaining 10 violations.

In FY07, the number of complaints again dropped as we saw an increase in the level of compliance with the Smoke-Free Workplace Law. Of the 149 complaints received by

the complaint line, only 22 violations were observed for a violation rate of 14.8%. Of those, a warning was issued for 13 violations, a ticket was issued for 6 violations and boards of health did not report the outcome of the remaining 3 violations.

In FY08, a low of 113 complaints were generated through the complaint line. Local boards of health found 10 violations, a violation rate of 8.8%. Of the 10 violations in FY 08, a warning was issued for 4 violations, a ticket was issued for 3 violations and boards of health did not report the outcomes of the remaining 3 violations were not reported.





Survey of Boards of Health: Fines and Citations

Boards of health are required by the Smoke-Free Workplace Law to submit a report of all citations and fines annually. Data from unfunded boards is collected by MTCP in collaboration with the Massachusetts Health Officers Association. That data has been combined with information generated by funded boards of health and reported to MTCP. Data presented in this section covers the calendar (January-December) year, rather than fiscal year.

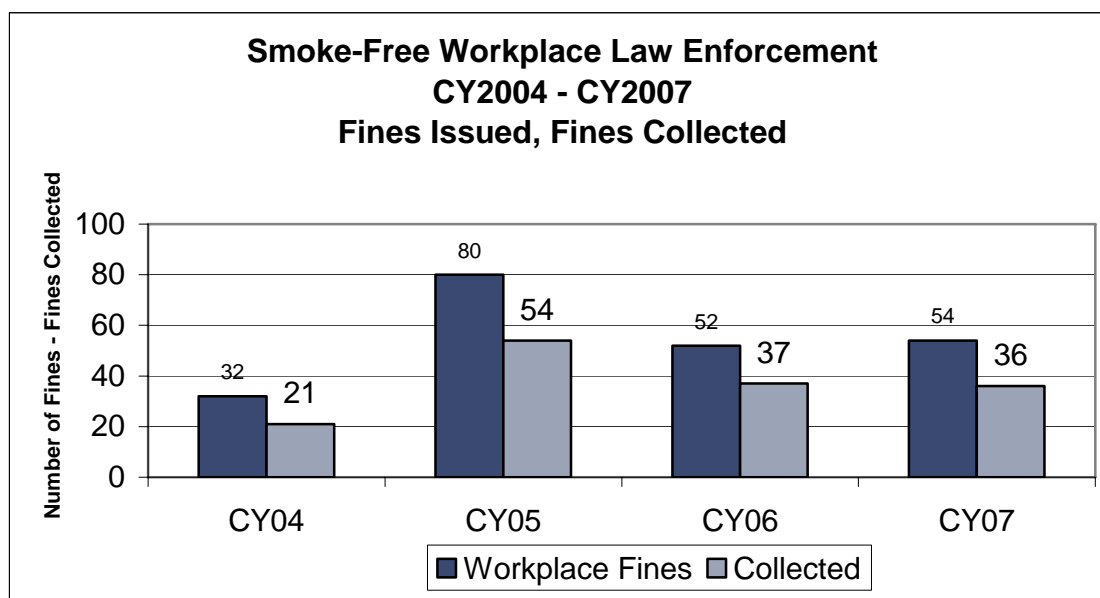
- Funded boards of health were far more likely to engage in enforcement behavior than unfunded boards.
- The number of citations and fines peaked in the second year of the law. Lower numbers in subsequent years indicates higher levels of compliance and understanding.
- The rate of collection of fines issued to workplaces has increased in each year.

Of note, data on the collection of fines is as of the date the enforcement reporting was due to MTCP. Some tickets which may have been outstanding at the time of the reporting date may have been collected later. A list of violations, including date, amount and workplace fined is available as Appendix 1.

In 2004, (for the period July 5-December 31), MTCP received completed reports from 166 of the 351 boards of health. Twenty boards issued 52 citations and 32 fines to workplaces for a total of \$5,700. Only \$2,400 (65.5%) of the assessed fines was collected. No fines or citations were issued to individuals. The majority of enforcement during this first six month period occurred in Boston. Boston had adopted a similar local regulation a year earlier and was accustomed to and prepared for enforcement.

In 2005, MTCP received completed reports from 272 boards of health. Thirty five boards of health issued fines or citations to workplaces. From those 35 boards, 82

workplace citations and 80 workplace fines were assessed. A total of \$12,800 was assessed to workplaces. Only 20 of these fines, \$6,400 (67.1%) were collected. Boards of health also issued 3 citations and 34 fines against individuals for a total of \$2,140. Twenty nine of these fines were collected for a total of \$1,790, and a collection rate of 85.3%.

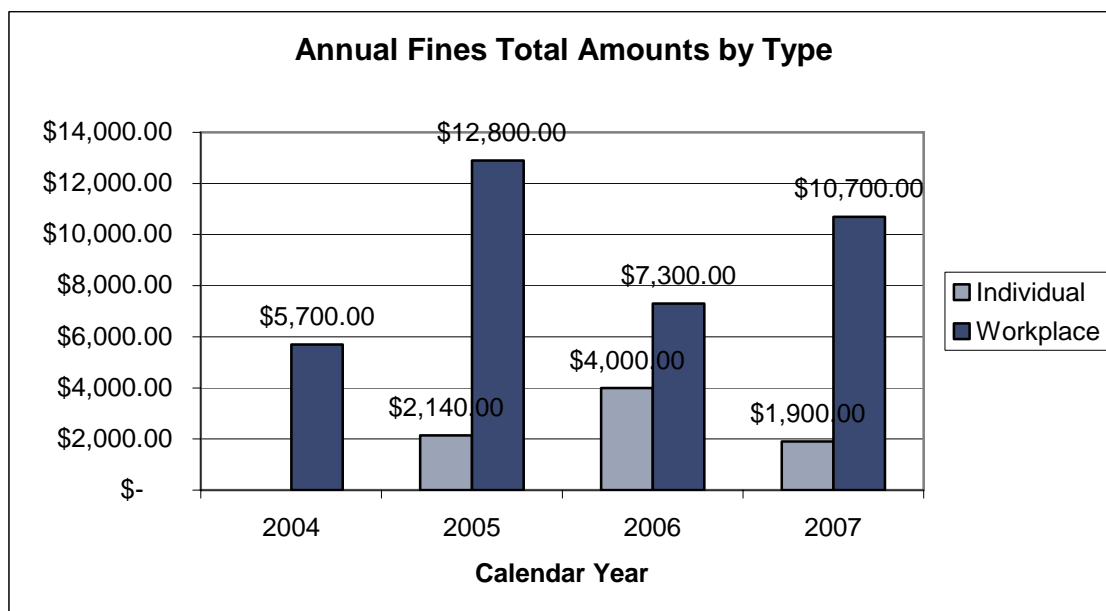


In 2006, MTCP received completed reports from 169 boards of health. Twenty nine boards of health reported issuing fines or citations. Fifty two citations and 52 fines were issued to workplaces for a total of \$7,300. Thirty seven of the 52 fines were collected for a total of \$4,500 and a collection rate of 71.2%. Twelve citations and 39 fines were assessed to individuals for a total of \$4,000. Thirty of the fines were collected for a total of \$3,100 and a collection rate of 76.9%

In 2007, MTCP received completed reports from 187 boards of health. Twenty two boards of health reported issuing fines or citations. Forty nine citations and 54 fines were issued to workplaces for a total of \$10,700. As of the date reports were due, 36 of

the 54 fines were collected for a collection rate of 67% and a total of \$4,900. Sixteen citations and 18 fines were issued to individuals for a total of \$1,900. Thirteen of the 18 fines were collected for a total of \$1,200 and a collection rate of 72%.

Overall, funded boards of health were far more likely to engage in enforcement behavior than unfunded boards. This is most likely due to the presence of a trained tobacco control staff member.





Unique Cases


Old Oxford Pub – Fairhaven

The Massachusetts Smoke-Free Workplace Law provides an exemption for smoking bars. In order to be licensed as a smoking bar an establishment must obtain a Department of Revenue (DOR) smoking bar permit. To be eligible for the permit the establishment must be able to prove, on a quarterly basis, that at least 51% of its total income comes from the sale of tobacco products. These conditions ensure that establishments that truly rely on on-premises tobacco smoking as a major part of their business can continue to do so.

On August 12, 2004, the DOR issued a Smoking Bar Permit to the Old Oxford Pub located in Fairhaven. The permit was revoked when the Old Oxford Pub was unable to provide evidence to that DOR that it met the minimum 51% threshold. The owner appealed and maintained that he had the right to allow patrons to smoke until every appeal had been exhausted. The Massachusetts Department of Public Health and the Fairhaven Board of Health (BOH) maintained that the Pub did not have the right to allow smoking since its Smoking Bar Permit was revoked. Despite revocation of the permit the Old Oxford Pub continued to allow smoking for a period of 6 months that resulted in the Fairhaven restaurant and bar community complaining to the town.

After months of issuing tickets and consulting with the police and town selectmen, the Fairhaven Board of Health presented the owner with notice of a hearing, regarding the state law violation, for the purpose of revoking both their food and tobacco sales permits, which in turn, would jeopardize their liquor license. It took only 24 hours after that point for the owner to comply and ban smoking in his establishment.

The Fairhaven Board of Health's handling of the situation is a prime illustration of the powers granted to a local board of health in dealing with non-compliant businesses. A unique aspect of using the Board of Health as the enforcement agent for the Smoke-Free



Workplace Law is that the Board of Health is responsible for many different types of permits held by bars, restaurants and businesses which can be used as leverage to elicit compliance. While the owner of the Old Oxford Pub may not have been deterred by an accumulated \$4,800 in fines, the loss of all business revenue seemed a daunting prospect.


The accumulated fines, \$4,800, were collected by the Fairhaven Board of Health on June 7, 2006. According to Pat Fowle, health agent for the town of Fairhaven, the associated legal fees incurred by the municipality were greater than the amount collected through fines.

The dealings with the Old Oxford Pub tested the smoking bar protocol detailed in the state law. The actions taken local and state officials involved with the situation provides a roadmap to other municipalities facing the issue of non-compliance.

The Athol Decision

American Lithuanian Naturalization Club, Athol, Mass, Inc. v. Board of Health of Athol, 844 N.E.2d 231 (2006)

In November 2004, the Athol Board of Health enacted a regulation prohibiting smoking in membership associations, also known as private clubs. The Massachusetts Smoke-Free Workplace Law provides an exemption for membership associations that permits smoking under certain conditions including when the public is not permitted in the club. When the law first went in to effect, many bars complained to their municipalities that some membership associations were allowing smoking while permitting entry to the general public. In order to deal with this complaint, as well as to further protect the health and safety of its citizens, the Athol board of health promulgated a regulation to ban smoking in private clubs.



Three membership associations in Athol filed a civil action in December of 2004 in Worcester Superior Court seeking injunctive relief. The Superior Court ruled that Athol did not have the authority to regulate beyond the state law. The Board of Health appealed to the Massachusetts Supreme Judicial Court which granted review.

The argument presented by Athol Board of Health cited two statutes. The first is MGL Chapter 111, Section 31 that states that ‘boards of health may make reasonable health regulations.’ The second comes from MGL Chapter 270, Section 22(2)(j), the Smoke-Free Workplace Law, which states ‘nothing in this section shall permit smoking in an area in which smoking is or may hereafter be prohibited by law including, without limitation: any other law or...health...regulation. Nothing in this section shall pre-empt further limitation of smoking by the Commonwealth...or political subdivision of the Commonwealth.’

The membership associations countered with arguments the town exceeded its authority; that the regulation infringed private club members’ right to privacy; that the regulation was vague and overbroad; and that the statewide Smoke-Free Workplace law preempts municipal bans on smoking in membership associations.

The court found that a local board of health does in fact have the authority to regulate beyond the state Smoke-Free Workplace law in order to protect public health.



Beyond the State Law

As of October 1, 2008, 94 municipalities have enacted regulations that restrict smoking in ways that are stricter than the state law. The most common regulations prohibit smoking in private clubs, enact buffer zones around workplaces and municipal buildings, prohibit smoking in outdoor dining areas and prohibit smoking bars. Local municipalities considering implementing such a regulation are encouraged to work with MTCP funded technical assistance available through the Massachusetts Municipal Association, the Massachusetts Association of Health Boards and the Massachusetts Health Officers Association. Representatives at each organization have created template regulations local lawmakers may use.

More information, as well as a list of municipalities with regulations stricter than the state law, is available at www.mass.gov/dph/mtcp.



Other Issues


Smoking Bars and Hookah Bars

The Massachusetts Smoke-Free Workplace Law provides an exemption for smoking bars. In order to qualify for a smoking bar permit from the Department of Revenue (DOR), a bar must prove that at least 51% of its revenue comes from the sale of tobacco. Some municipalities, including Boston, have raised the minimum to 61%. As of January 1, 2008, there are 11 smoking bar permits in the Commonwealth. There are 5 establishments in Boston, 3 in Worcester, 1 each in Hyannis, Fitchburg and Sudbury.

Recently, hookah bars have emerged as a new trend. Hookah, also known as water-pipes, has become popular in the past few years, particularly among college and high school aged individuals. Hookah pipes use a moist tobacco flavored with fruit and honey or molasses. Some pipe users claim they use a mixture that does not contain tobacco. To make smoke, burning charcoal (often quick-started with lighter fluid) is placed on top of the moist tobacco mix. Hookah smoke is then pulled through water, which cools it and makes it feel smoother and easier to inhale than cigarette smoke. Often believed to be a safer alternative to cigarettes, hookah may actually be more dangerous as smokers must inhale the mixture more deeply to keep the moist tobacco lit. According to studies conducted by Shihadeh & Saleh in 2005 and Djordjevic in 2000, during a single hookah session a smoker is exposed to 36 times the tar, 1.7 times the nicotine and 8.4 times the carbon monoxide than an individual smoking a cigarette. Hookah smoking is particularly dangerous as hookah sessions may last hours and smokers typically sit in rooms filled with secondhand smoke.

Hookah further poses a potential hazard to the public health. Smokers may share the same mouth piece which is attached to the pipe. The water, which is used to cool the smoke, is generally only changed once a night.

MTCP and local boards of health have received an increasing number of requests for



information on how to open a hookah café. Requests have come from a diverse group of individuals including college activity directors, young professionals and cultural groups.

The state law requirements to open a hookah café, even if the café claims the mixtures they use do not contain tobacco, are the same as a smoking bar.

MTCP is aware of permitted hookah bars in Brighton, Worcester and Charlestown. A number of restaurants in the Boston area offer hookah on outdoor patios during the summer. The increasing number of requests to local boards of health, as well as the general public health concerns regarding hookah, have motivated a number of municipalities to ban smoking in smoking bars.

Buffer Zones

The Smoke-Free Workplace Law does not stipulate a certain distance away from a building that a smoker must stand. Rather, if smoke migrates back in to the workplace it is considered a violation of the law.

MTCP receives complaints regarding smoking at or near building entrances and smoke migrating back in to the building. On a whole, boards of health have found it difficult to enforce this provision, since the minimum distance may change daily due to wind or other environmental factors. Further, there is some debate as to whether the individual smokers are responsible for the violation or the owner of the workplace, which would be the case with a traditional violation.

For this reason a number of municipalities have enacted regulations which set a minimum buffer zone around either all workplaces or just around municipal buildings.



Outdoor Seating Areas


The Massachusetts Smoke-Free Workplace Law and the DPH implementation regulations address the issue of smoking in outdoor areas. Smoking is permitted in outdoor areas provided that the space is open to the air at all times. DPH has determined what minimal physical configurations are required to meet that standard.

MTCP recommends that any establishment looking to create outdoor seating areas approve their plans with their local board of health before beginning construction. In a few cases, local boards of health have sought the advice of MTCP in determining whether an outdoor area meets the requirements of the law. In order to provide better guidance to local boards of health on the issue, MTCP contracted with the Massachusetts Health Officers Association to compile examples of legal and illegal outdoor smoking areas. More information is available at www.mhoa.com/tcp-workplace.htm.

Schools

Schools have been identified by boards of health as a challenging area to enforce for a number of reasons. If a violation is found on school property, traditional application of the law would dictate that the fine is issued to the owner/operator of the property which would either be the principal or the superintendent. Not only are there ramifications associated with fining another town administrator, but the payment of the fine would come from school funds only to then go to the town's general fund. For these reasons, local boards of health have generally shied away from taking this traditional approach with schools.

The board, therefore, is left with the option of fining individual smokers. The Smoke-Free Workplace Law specifically grants the local board of health the authority to enforce its provisions as well as "municipal government." While this could be interpreted to mean a school official, few school boards have decided to enforce the law. One concern among school administrators, who do enforce, is the amount of the fine. Some believe



that the \$100 fine is excessive when applied to students. Therefore, a number of districts have created their own fine amounts and disciplinary structures. Despite this, some municipalities report these fines in their annual submission to MTCP.

In 2007, MTCP drafted a school policy guidance document designed to assist districts in developing effective anti-tobacco policy. Included in the document are examples of effective policies currently used by districts across the state. A copy of this document is available at www.makesmokinghistory.org/schools. Also in 2007, MTCP promoted its “Stop the Secondhand” campaign, which was designed to increase awareness of existing tobacco-free school policies. The campaign ran in local newspapers at the beginning of the school year. MTCP distributes “no smoking” signs and “Stop the Secondhand” materials to public schools. Additional information about this campaign is available at www.makesmokinghistory.org/schools.

Municipal Buildings

For reasons similar to schools, municipal buildings have also been identified by local boards of health as particularly difficult enforcement areas. Some boards have also indicated that smoking around the entrances to municipal buildings is also a growing problem. It is especially important that local government buildings adhere to the Smoke-Free Workplace Law, not only to set a good example, but to assure that all citizens can freely enter the building without being exposed to secondhand smoke.

MTCP has received a number of complaints regarding smoking among Department of Public Works employees and at their facilities including buildings, garages and vehicles. Under the state law, all enclosed workplaces, including garages and, in some cases, loading docks, must be smoke-free. Further, the Smoke-Free Workplace Law requires that all municipal and shared company vehicles be smoke-free. Smoking in vehicles is particularly hard to enforce as it is difficult for the local board of health to conduct an inspection.



Court Houses


MTCP and local programs have identified court houses as a problem enforcement area. While the Smoke-Free Workplace Law grants authority to the local boards of health to enforce the law, some local boards of health question their authority to enforce on state owned property.

Court houses have become particularly problematic in the past year. MTCP has received complaints regarding smoking by court officials, including judges and clerks, as well as by visitors, guards and police. Local boards of health are often not comfortable enforcing the law for reasons similar to those which apply to schools and municipal buildings. MTCP along with the tobacco control director from the Massachusetts Municipal Association convened a meeting with court facilities managers in early 2008 to discuss the issue. Problems identified included the inability of facilities managers to enforce rules against superiors such as judges or police officers, the large number of visitors who are often in stressful situations and the lack of time available to employees and visitors to leave the building to smoke. On the issue of migrating smoke the managers indicated that limited outdoor property increases the likelihood of smoke migrating back in to the building.

MTCP will continue to work with the court facilities bureau to increase understanding and compliance with the Smoke-Free Workplace Law.

MBTA and other Transportation Authorities

The Massachusetts Smoke-Free Workplace Law prohibits smoking “upon any public transportation conveyance” and in any “transportation passenger terminal, or enclosed outdoor platform.” Accordingly, all busses, trains, subways and other modes of public transportation as well as any enclosed terminals or stations must be smoke-free. MTCP, however, has received numerous complaints about smoking at MBTA facilities, particularly at downtown enclosed T stations.



Enforcement in these areas, however, has proved problematic. The Smoke-Free Workplace Law grants authority to local boards of health, the department of public health and municipal governments to enforce the law. MBTA property, however, has historically been under the sole jurisdiction of the MBTA, as evidenced by the existence of the transit police rather than relying on local authorities.

While the Massachusetts Smoke-Free Workplace Law is enforceable on MBTA property, a second Massachusetts Law also applies. M.G.L. Ch 272 § 43A prohibits smoking on all MBTA property and vehicles and provides for either a \$100 fine and/or up to 10 days imprisonment for violation. Reference to this law is made on the MBTA's no smoking signs posted in stations and in vehicles.

The MBTA maintains its own system to handle complaints. More information can be found at www.mbta.com.

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
December 14, 2004	D'Ann's Restaurant	Abington	Yes	Yes	\$100	Yes	No	\$100
April 27, 2006	Abington Sunoco	Abington	Yes	Yes	\$100	Yes	No	\$100
August 16, 2004	Tiki's Garden Restaurant	Abington	Yes	No	\$0	na	na	na
August 16, 2006	Acton Highway Dept	Acton	Yes	Yes	\$100	No	No	\$0
December 25, 2006	Acton Highway Dept	Acton	Yes	Yes	\$100	No	No	\$0
February 18, 2005	Cruise Inc	Attleboro	Yes	Yes	\$50	Yes	No	\$50
November 7, 2004	Alberto's Restaurant	Barnstable	Yes	No	\$0	na	na	na
November 12, 2006	Refrigerated Storage, Inc.	Barnstable	Yes	No	\$0	na	na	na
January 9, 2007	Belmont Cab Company	Belmont	Yes	Yes	\$100	Yes	No	\$100
February 7, 2006	Overnite Transportation	Billerica	Yes	Yes	\$100	Yes	No	\$100
February 1, 2007	Overnite Transportation	Billerica	Yes	Yes	\$100	Yes	No	\$100
August 29, 2004	Amtrak	Boston	Yes	Yes	\$500	No	No	\$0
August 31, 2004	Café Le Royal	Boston	Yes	Yes	\$100	Yes	No	\$100
September 3, 2004	Ashmont Grille	Boston	Yes	Yes	\$100	Yes	No	\$100
September 21, 2004	Café Marliave	Boston	Yes	Yes	\$100	Yes	No	\$100
October 7, 2004	Martini's News Inc.	Boston	Yes	Yes	\$100	Yes	No	\$100
October 7, 2004	The Original Tremont Tearoom	Boston	Yes	Yes	\$100	Yes	No	\$100
October 21, 2004	Boston Housing Auth.(Whittier St)	Boston	Yes	Yes	\$100	No	No	\$0
October 21, 2004	Rosie's Place	Boston	Yes	Yes	\$100	Yes	No	\$100
October 22, 2004	Foley Apartments	Boston	Yes	Yes	\$100	No	No	\$0
November 2, 2004	Boston Medical Center	Boston	Yes	Yes	\$100	No	No	\$0
November 2, 2004	BU School of Public Health	Boston	Yes	Yes	\$100	No	No	\$0
November 6, 2004	Mannie's Café	Boston	Yes	Yes	\$1,000	No	No	\$0
November 14, 2004	Krakowiak Polish Dancers	Boston	Yes	Yes	\$100	No	No	\$0
November 23, 2004	Taqueria Cancun	Boston	Yes	Yes	\$100	Yes	No	\$100
November 30, 2004	James G Grant CO.	Boston	Yes	Yes	\$100	Yes	No	\$100
December 2, 2004	Baseball Tavern	Boston	Yes	Yes	\$100	Yes	No	\$100

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
December 13, 2004	Cork Park	Boston	Yes	Yes	\$100	Yes	No	\$100
December 21, 2004	Mannie's Café	Boston	Yes	Yes	\$1,000	No	No	\$0
December 22, 2004	Truck Equip of Boston	Boston	Yes	Yes	\$100	Yes	No	\$100
May 16, 2006	Intercontinental Hotel	Boston	Yes	Yes	\$100	Yes	No	\$100
July 7, 2006	Fields Corner Auto Glass Co.	Boston	Yes	Yes	\$1,000	No	No	\$0
July 10, 2006	Roberts Towing	Boston	Yes	Yes	\$100	No	No	\$0
July 11, 2006	Boston Public Works	Boston	Yes	Yes	\$100	No	No	\$0
July 11, 2006	Gigian Jewelry	Boston	Yes	Yes	\$100	Yes	No	\$100
August 28, 2006	American Postal Workers Union	Boston	Yes	Yes	\$100	No	Yes	na
October 17, 2006	Stuff@night Magazine	Boston	Yes	Yes	\$100	No	No	\$0
October 17, 2006	Avalon Night Club	Boston	Yes	Yes	\$100	No	No	\$0
October 24, 2006	William's Tavern	Boston	Yes	Yes	\$100	Yes	No	\$100
November 6, 2006	Independent Taxi	Boston	Yes	Yes	\$100	No	No	\$0
November 14, 2006	Shuman Gas Inc.	Boston	Yes	Yes	\$100	No	No	\$0
December 1, 2006	Fenway Shell	Boston	Yes	Yes	\$100	No	No	\$0
December 11, 2006	Roslindale Auto Service	Boston	Yes	Yes	\$100	No	No	\$0
December 12, 2006	Boston Public Works	Boston	Yes	Yes	\$500	No	No	\$0
December 15, 2006	Four Brothers Auto Center	Boston	Yes	Yes	\$100	No	No	\$0
January 8, 2007	Savon Transmission Inc.	Boston	Yes	Yes	\$100	No	No	\$100
January 16, 2007	Glaser's Auto and Towing Service	Boston	Yes	Yes	\$100	Yes	No	\$100
January 16, 2007	Mike's Auto Repair	Boston	Yes	Yes	\$100	Yes	No	\$100
January 29, 2007	Four Brothers Auto Center	Boston	Yes	Yes	\$500	No	No	\$0
April 6, 2007	Boston Public Works/ Light Maintenance	Boston	Yes	Yes	\$1,000	No	No	\$0
June 13, 2007	Boston Public Works Department	Boston	Yes	Yes	\$100	No	No	\$0
June 25, 2007	W.C. Canniff & Sons Inc.	Boston	Yes	Yes	\$1,000	No	No	\$0
July 17, 2007	William A. Berry & Son. Inc.	Boston	Yes	Yes	\$100	Yes	No	\$100

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
July 24, 2007	Columbia Construction	Boston	Yes	Yes	\$100	No	No	\$0
September 12, 2007	W.C. Canniff & Sons Inc.	Boston	Yes	Yes	\$1,000	No	Yes	na
October 2, 2007	W.C. Canniff & Sons Inc.	Boston	Yes	Yes	\$1,000	No	Yes	na
October 2, 2007	Peter Wong Accounting	Boston	Yes	Yes	\$100	No	No	\$0
October 9, 2007	Suffolk Construction Co.	Boston	Yes	Yes	\$100	No	No	\$0
November 26, 2007	Walsh Brothers Inc.	Boston	Yes	Yes	\$100	No	No	\$0
December 26, 2007	Anna's Bakery	Boston	Yes	Yes	\$100	No	No	\$0
June 14, 2006	Eagles Club	Bourne	Yes	No	\$0	na	na	na
June 16, 2006	Nick's Pizza	Bourne	Yes	No	\$0	na	na	na
March 26, 2007	A&L Convenience Store	Braintree	Yes	Yes	\$300	Yes	No	\$300
October 20, 2004	Penske Trucking	Braintree	Yes	No	\$0	na	na	na
December 23, 2004	Bickfords Restaurant	Braintree	Yes	No	\$0	na	na	na
September 1, 2004	Marco Realty	Brookline	Yes	No	\$0	na	na	na
August 25, 2006	D.B. Construction Group	Burlington	Yes	Yes	\$100	Yes	No	\$100
May 16, 2006	VFW	Chatham	Yes	Yes	\$100	Yes	No	\$100
December 22, 2006	Heller's Liquor Mart	Chelsea	Yes	Yes	\$100	No	No	\$0
June 29, 2005	Windsor Café	Chicopee	Yes	Yes	\$100	No	No	\$0
July 16, 2005	Dugout Café	Chicopee	Yes	Yes	\$100	No	No	\$0
April 11, 2007	My Brother's Place	Chicopee	Yes	Yes	\$200	Yes	No	\$200
April 12, 2007	Cabot St Pub	Chicopee	Yes	Yes	\$100	Yes	No	\$100
April 19, 2007	Dugout Café	Chicopee	Yes	Yes	\$200	Yes	No	\$200
April 30, 2007	Huke Lan	Chicopee	Yes	Yes	\$100	Yes	No	\$100
May 15, 2007	Rumbleseat	Chicopee	Yes	Yes	\$100	Yes	No	\$100
July 11, 2007	Quicky's	Chicopee	Yes	Yes	\$100	Unk	No	\$0
July 20, 2007	Tess Tips	Chicopee	Yes	Yes	\$200	Yes	No	\$200
October 10, 2007	Brown's Imports	Cohasset	Yes	No	\$0	No	Yes	na

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
October 10, 2007	Cohasset Lobster Pound	Cohasset	Yes	No	\$0	No	Yes	na
January 25, 2005	Ronco Machine Corp	Danvers	Yes	Yes	\$100	Yes	No	\$100
April 19, 2007	Correia Tile & Marble	Dartmouth	Yes	Yes	\$100	Yes	No	\$100
May 27, 2007	Barwal Transit d/b/a Yellow Cab # 44	Dartmouth	Yes	Yes	\$100	Yes	No	\$100
May 16, 2006	Peking Palace	Dennis	Yes	No	\$0	na	na	na
October 23, 2007	Bennett's Tire Co.	Duxbury	Yes	No	\$0	No	Yes	na
July 4, 2005	Jimmy D's	Eastham	Yes	No	\$0	na	na	na
August 4, 2004	Stephen Grotz Office	Egremont	Yes	No	\$0	na	na	na
October 27, 2005	Klub Sarajevo	Everett	Yes	Yes	\$100	No	No	\$0
October 28, 2005	Main St. Auto Center	Everett	Yes	Yes	\$100	Yes	No	\$100
December 21, 2007	Main Street Auto Center/Gibbs	Everett	Yes	Yes	\$100	No	No	\$0
December 26, 2007	Main Street Auto Center/Gibbs	Everett	Yes	Yes	\$200	No	No	\$0
December 27, 2004	Fairhaven American Legion	Fairhaven	Yes	Yes	\$100	No	No	\$0
December 27, 2004	Fort Phoenix VFW	Fairhaven	Yes	Yes	\$100	No	No	\$0
March 10, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$100	No	No	\$0
March 16, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$300	No	No	\$0
March 23, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$300	No	No	\$0
March 28, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$500	No	No	\$0
April 8, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
April 20, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
May 4, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
May 12, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
June 2, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
June 15, 2005	Old Oxford Pub	Fairhaven	Yes	Yes	\$600	No	No	\$0
May 11, 2006	Jackson's Variety	Fairhaven	Yes	Yes	\$100	Yes	No	\$100
July 28, 2004	Columbia Tavern	Fall River	Yes	Yes	\$100	Yes	No	\$100

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
September 11, 2004	Wong's Ocean Palace	Fall River	Yes	Yes	\$100	No	No	\$0
April 1, 2005	Columbia Tavern	Fall River	Yes	Yes	\$200	Yes	No	\$200
October 11, 2005	Columbia Tavern	Fall River	Yes	Yes	\$300	Yes	No	\$300
July 27, 2006	Santa Cecilia's, Inc.	Fall River	Yes	Yes	\$100	Yes	No	\$100
January 9, 2007	Vet's Safety Cab	Fall River	Yes	Yes	\$200	Yes	No	\$200
May 22, 2007	Cozy Bus	Fall River	Yes	Yes	\$100	No	appealed	\$0
February 10, 2005	Brothers Convenience	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
August 11, 2005	Red Fox Motel	Foxborough	Yes	Yes	\$350	Yes	No	\$350
September 1, 2005	Courtyard by Marriot	Foxborough	Yes	Yes	\$150	Yes	No	\$150
September 15, 2005	End Zone Motel	Foxborough	Yes	Yes	\$100	Yes	No	\$100
July 7, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
July 9, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
July 10, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
July 14, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
July 19, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
July 27, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
August 3, 2004	Harmony Pub	Granby	Yes	No	\$0	na	na	na
April 5, 2005	Elm Street Grill	Hanson	Yes	Yes	\$100	Yes	No	\$100
January 31, 2007	JSW Security d/b/a The Alarm Co	Haverhill	Yes	Yes	\$100	Yes	No	\$100
January 18, 2007	Hingham Car Wash	Hingham	Yes	Yes	\$100	Yes	No	\$100
May 24, 2005	Union St. Pub	Holbrook	Yes	Yes	\$100	Yes	No	\$100
December 1, 2005	Holbrook Gulf Service Station	Holbrook	Yes	Yes	\$100	Yes	No	\$100
February 15, 2006	Holbrook Gulf Station	Holbrook	Yes	Yes	\$100	Yes	No	\$100
February 8, 2005	BeachFront Bar	Hull	Yes	Yes	\$100	Yes	No	\$100
February 8, 2005	Beachfront Restuarnt	Hull	Yes	Yes	\$100	Yes	No	\$100
January 20, 2005	Carmella's Restuant	Kingston	Yes	Yes	\$200	Yes	No	\$200

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
October 25, 2005	Brighams Restuarnt	Kingston	Yes	Yes	\$100	Yes	No	\$100
January 31, 2006	Garlin Auto School	Kingston	Yes	Yes	\$100	Yes	No	\$100
May 2, 2006	Garlin Auto School	Kingston	Yes	Yes	\$200	Yes	No	\$200
February 12, 2007	Garlin Auto School	Kingston	Yes	Yes	\$300	Yes	No	\$300
March 1, 2007	Brian's Barber Shop	Kingston	Yes	Yes	\$100	Yes	No	\$100
March 1, 2007	Beauty Nails	Kingston	Yes	Yes	\$100	Yes	No	\$100
November 28, 2004	Carmella's	Kingston	Yes	No	\$0	na	na	na
March 28, 2005	Protected Armored Systems, Inc	Lenox	Yes	Yes	\$250	Yes	No	\$250
December 19, 2005	Captians Lounge	Leominster	Yes	Yes	\$100	Yes	No	\$100
December 22, 2005	Store 24	Leominster	Yes	Yes	\$100	Yes	No	\$100
August 2, 2005	Amerada Hess (gas station)	Lowell	Yes	Yes	\$100	Yes	No	\$100
August 2, 2005	Kearney Square Diner	Lowell	Yes	Yes	\$100	Yes	No	\$100
August 8, 2005	Olmpos Bakery	Lowell	Yes	Yes	\$100	Yes	No	\$100
August 25, 2005	Captain Jason's	Lowell	Yes	Yes	\$100	No	Yes	\$0
August 26, 2005	Olympia Restaurant	Lowell	Yes	Yes	\$100	No	Yes	\$0
September 21, 2005	The Blue Shamrock	Lowell	Yes	Yes	\$100	No	Yes	\$0
January 9, 2007	Olympia Restaurant	Lowell	Yes	Yes	\$100	Yes	No	\$100
February 8, 2007	Town Taxi	Lowell	Yes	Yes	\$100	Yes	No	\$100
April 19, 2007	Town Taxi	Lowell	Yes	Yes	\$200	Yes	No	\$200
May 27, 2007	Lowell Transportation	Lowell	Yes	Yes	\$100	No	appealed	\$0
June 25, 2007	Madison Security	Lowell	Yes	Yes	\$100	No	No	\$0
January 5, 2005	F.L. Roberts	Ludlow	Yes	No	\$0	na	na	na
January 5, 2005	Red Bridge Bait Tackle	Ludlow	Yes	No	\$0	na	na	na
January 28, 2005	Moonlight Café	Ludlow	Yes	No	\$0	na	na	na
January 28, 2005	The Lighthouse	Ludlow	Yes	No	\$0	na	na	na
March 31, 2005	Mobil Mart	Lynn	Yes	Yes	\$100	No	No	\$0

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
June 6, 2006	Gannon Golf Course	Lynn	Yes	Yes	\$100	Yes	No	\$100
July 17, 2006	Starr's Barber Shop	Lynn	Yes	Yes	\$100	Yes	No	\$100
January 1, 2005	Ferguson Industries for the Blind	Malden	Yes	Yes	\$100	No	Yes	na
March 2, 2006	Seven Eleven	Malden	Yes	Yes	\$100	Yes	No	\$100
February 24, 2005	Road House Pub	Mansfield	Yes	Yes	\$100	Yes	No	\$100
March 17, 2005	Road House Pub	Mansfield	Yes	Yes	\$200	Yes	No	\$200
November 3, 2005	Rafferty Pub	Mansfield	Yes	Yes	\$100	Yes	No	\$100
November 15, 2006	Waltham Central Transportation	Marlborough	Yes	Yes	\$300	Yes	No	\$300
October 25, 2005	Coffee Time	Melrose	Yes	Yes	\$100	Yes	No	\$100
September 22, 2004	Sahara Club	Methuen	Yes	Yes	\$200	Yes	No	\$200
November 8, 2006	Knights of Columbus	Methuen	Yes	Yes	\$100	Yes	No	\$100
November 30, 2006	On-Island Gas	Nantucket	Yes	Yes	\$100	Yes	No	\$100
February 15, 2005	Fannon's Liquors	Natick	Yes	Yes	\$100	No	No	\$0
February 23, 2005	Premium Liquors Inc.	New Bedford	Yes	Yes	\$100	Yes	No	\$100
April 28, 2005	ARBCO Inc.d/b/a Red J's Colonial Lounge	New Bedford	Yes	Yes	\$100	Yes	No	\$100
May 4, 2005	Cassandra, Inc. d/b/a Redwood Saloon	New Bedford	Yes	Yes	\$100	Yes	No	\$100
May 6, 2005	Trans City, Inc. d/b/a Wharf Tavern	New Bedford	Yes	Yes	\$100	Yes	No	\$100
November 26, 2005	Circle B Food Mart Inc.	New Bedford	Yes	Yes	\$100	Yes	No	\$100
December 10, 2005	Iqbal Mart d/b/a Quick Mart	New Bedford	Yes	Yes	\$100	Yes	No	\$100
June 13, 2006	JC's Variety	New Bedford	Yes	Yes	\$100	Yes	No	\$100
October 26, 2006	Car Quest of New Bedford	New Bedford	Yes	Yes	\$100	Yes	No	\$100
October 26, 2006	Nor East Mortgage Co., Inc.	New Bedford	Yes	Yes	\$100	Yes	No	\$100
February 8, 2007	Premium Liquors, Inc.	New Bedford	Yes	Yes	\$200	Yes	No	\$200
March 7, 2007	Barwal Transit d/b/a Yellow Cab# 29	New Bedford	Yes	Yes	\$100	Yes	No	\$100

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
March 14, 2007	Barwal Transit d/b/a Yellow Cab# 1	New Bedford	Yes	Yes	\$200	Yes	No	\$200
January 21, 2004	Company Theater	Norwell	Yes	No	\$0	na	No	\$0
August 4, 2004	Portuguese-American Club	Oak Bluffs	Yes	No	\$0	na	No	\$0
November 22, 2005	Goodtimes Bar	Orange	Yes	Yes	\$100	unk	No	\$0
January 8, 2006	Radio Shack	Orleans	Yes	No	\$0	na	No	\$0
November 27, 2004	Public Petroleum	Palmer	Yes	Yes	\$100	Yes	No	\$100
December 18, 2004	Thirsty John's	Palmer	Yes	Yes	\$100	Yes	No	\$100
December 18, 2004	Thorndike Lounge	Palmer	Yes	Yes	\$100	Yes	No	\$100
February 15, 2006	T&L Liquors	Peabody	Yes	Yes	\$100	Yes	No	\$100
March 15, 2006	The Peabody Coffee House	Peabody	Yes	Yes	\$100	Yes	No	\$100
November 1, 2006	Best Gas	Peabody	Yes	Yes	\$100	Yes	No	\$100
January 13, 2005	Pennys market	Plymouth	Yes	Yes	\$100	Yes	No	\$100
December 7, 2005	Manomet Accounting	Plymouth	Yes	Yes	\$100	Yes	No	\$100
December 12, 2005	Corner Pocket Pub	Plymouth	Yes	Yes	\$100	Yes	No	\$100
June 7, 2006	Corner Pocket Pub	Plymouth	Yes	Yes	\$200	Yes	No	\$200
July 3, 2006	Manomet Accounting	Plymouth	Yes	Yes	\$200	Yes	No	\$200
January 25, 2007	Ilaria Rest	Plymouth	Yes	Yes	\$100	Yes	No	\$100
March 30, 2007	New Tokyo Rest	Plymouth	Yes	Yes	\$100	Yes	No	\$100
April 20, 2007	14 Union St Rest	Plymouth	Yes	Yes	\$100	Yes	No	\$100
June 25, 2007	Ming Dynasty	Plymouth	Yes	Yes	\$100	Yes	No	\$100
August 10, 2004	King Collision	Plymouth	Yes	No	\$0	na	No	\$0
April 14, 2005	The Cove Lounge	Revere	Yes	Yes	\$100	Yes	No	\$100
February 8, 2007	Broadway Citgo	Revere	Yes	Yes	\$100	Yes	No	\$100
October 2, 2005	Prime Energy	Rockham	Yes	Yes	\$100	Yes	No	\$100
March 10, 2006	Prime 1 Gas	Rockland	Yes	Yes	\$100	Yes	No	\$100
October 29, 2007	Whittemore - Dugan	Rockland	Yes	No	\$0	No	Yes	na

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
October 29, 2007	L & J Auto Repari	Rockland	Yes	No	\$0	No	Yes	na
December 17, 2007	South Shore Package Store	Rockland	Yes	No	\$0	No	Yes	na
September 15, 2004	Major Magleash's	Salem	Yes	Yes	\$300	Yes	No	\$300
September 28, 2004	Stetland Prop	Salem	Yes	No	\$0	na	No	\$0
August 4, 2004	Silverbrook Café	Sandisfield	Yes	No	\$0	na	No	\$0
December 5, 2005	Cliftdale Food Mart	Saugus	Yes	Yes	\$100	unk	No	\$0
December 5, 2005	Saugus Taxi	Saugus	Yes	Yes	\$100	unk	No	\$0
August 24, 2006	Saugus Taxi	Saugus	Yes	Yes	\$100	Yes	No	\$100
November 9, 2004	Banana Tam's	Springfield	Yes	Yes	\$100	Yes	No	\$100
November 30, 2004	Acres Newstand	Springfield	Yes	Yes	\$100	Yes	No	\$100
March 24, 2005	Mr. D's Sports Bar	Springfield	Yes	Yes	\$100	Yes	No	\$100
March 29, 2005	Wal-Mart Dept store	Springfield	Yes	Yes	\$100	Yes	No	\$100
April 20, 2005	National House Inc.	Springfield	Yes	Yes	\$100	No	Yes	na
April 20, 2005	Blarney Stone	Springfield	Yes	Yes	\$100	Yes	No	\$100
June 23, 2005	Stone Wall Tavern	Springfield	Yes	Yes	\$100	Yes	No	\$100
July 13, 2005	Chessmen Lounge	Springfield	Yes	Yes	\$100	Yes	No	\$100
July 13, 2005	National House Inc.	Springfield	Yes	Yes	\$200	Yes	No	\$200
November 3, 2005	Lift The Latch	Springfield	Yes	Yes	\$100	No	No	\$0
November 4, 2005	Paramount Hippodrome	Springfield	Yes	Yes	\$100	No	No	\$0
December 2, 2005	X - Pub	Springfield	Yes	Yes	\$100	Yes	No	\$100
January 6, 2006	Copas	Springfield	Yes	Yes	\$100	Yes	No	\$100
March 8, 2006	Mr. D's Sports Bar	Springfield	Yes	Yes	\$200	Yes	No	\$200
March 28, 2006	J & J Dairy Store	Springfield	Yes	Yes	\$100	Yes	No	\$100
April 6, 2006	Window Place	Springfield	Yes	Yes	\$100	Yes	No	\$100
June 8, 2006	Copas	Springfield	Yes	Yes	\$200	Yes	No	\$200
August 25, 2006	Scores Sports Bar	Springfield	Yes	Yes	\$100	Yes	No	\$100

Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
March 14, 2007	Best Movers	Springfield	Yes	Yes	\$100	Yes	No	\$100
April 26, 2007	Screen Craft	Springfield	Yes	Yes	\$100	Yes	No	\$100
March 16, 2006	Gulf Service	Swampscott	Yes	Yes	\$100	Yes	No	\$100
October 21, 2005	VFW 2577	Ware	Yes	Yes	\$100	No	No	\$0
October 7, 2005	VFW 2577	Ware	Yes	No	\$0	na	na	na
October 2, 2005	Valero Gas	Wareham	Yes	Yes	\$100	Yes	No	\$100
October 10, 2005	Walmart	Wareham	Yes	Yes	\$100	Yes	No	\$100
January 7, 2006	Robertson's GMC	Wareham	Yes	Yes	\$100	Yes	No	\$100
April 10, 2006	VFW	Wareham	Yes	No	\$0	na	na	na
January 26, 2007	Igo Welding & Supply	Watertown	Yes	Yes	\$100	Yes	No	\$100
July 1, 2004	The Bomb Shelter	Wellfleet	Yes	No	\$0	na	na	na
October 19, 2005	Sam Trap Bar	Weymouth	Yes	Yes	\$100	Yes	No	\$100
October 29, 2005	K of C	Weymouth	Yes	Yes	\$100	Yes	No	\$100
December 11, 2004	The Office Bar	Whitman	Yes	Yes	\$100	Yes	No	\$100
March 17, 2005	Whitman Diner	Whitman	Yes	Yes	\$100	Yes	No	\$100
April 10, 2007	Whitman Diner	Whitman	Yes	Yes	\$200	Yes	No	\$200
May 29, 2007	Animal Control	Whitman	Yes	No	\$0	No	Yes	na
October 25, 2007	Temple Redemption Center	Whitman	Yes	No	\$0	No	Yes	na
October 25, 2007	RSD Cabinetry	Whitman	Yes	No	\$0	No	Yes	na
November 9, 2007	DPW	Whitman	Yes	No	\$0	No	Yes	na
January 4, 2005	Lawless Chrysler	Woburn	Yes	No	\$0	na	na	na
March 24, 2005	Northeast Electrical Distribution	Woburn	Yes	No	\$0	na	na	na
February 23, 2005	Danny T. Murphys Bar	Worcester	Yes	Yes	\$100	Yes	No	\$100
March 1, 2005	Uncle Charlie's Bar	Worcester	Yes	Yes	\$100	Yes	No	\$100
March 2, 2005	Kazbar Bar	Worcester	Yes	Yes	\$100	Yes	No	\$100
May 5, 2005	Danny T. Murphys Bar	Worcester	Yes	Yes	\$200	Yes	No	\$200



Workplace Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation?	Fine?	Amt of fine	Collected?	Dismiss?	Amt Collected
October 31, 2005	Worcester Scale	Worcester	Yes	Yes	\$100	Yes	No	\$100
January 17, 2006	Worcester Scale	Worcester	Yes	Yes	\$200	Yes	No	\$200
January 20, 2007	Jumpin Joes	Worcester	Yes	Yes	\$100	Yes	No	\$100

Individual Student Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation	Fine	Amt of Fine	Collected	Dismissed?	Amt Coll'd
October 4, 2005	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$25	Yes	No	\$25
October 19, 2005	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$25	Yes	No	\$25
November 16, 2005	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
February 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
February 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
March 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
September 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
September 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
November 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
November 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
November 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
December 1, 2006	Fitchburg Monty Tech Students	Fitchburg	Yes	Yes	\$100	Yes	No	\$100
January 10, 2005	Marian High School Student	Framingham	Yes	Yes	\$100	Yes	No	\$100
January 10, 2005	Marian High School Student	Framingham	Yes	Yes	\$100	Yes	No	\$100
January 25, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
February 15, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
February 28, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
March 1, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
March 10, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
March 15, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
March 23, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
March 29, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40

Individual Student Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation	Fine	Amt of Fine	Collected	Dismissed?	Amt Coll'd
April 1, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
April 6, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
April 12, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
May 4, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
May 10, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
June 7, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
June 10, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
August 31, 2005	Leominster High Student	Leominster	Yes	Yes	\$40	Yes	No	\$40
September 6, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
September 19, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
September 20, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
September 28, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
October 6, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
October 20, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
November 9, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
November 28, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
December 7, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	No	No	\$0
December 15, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	No	No	\$0
December 15, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	No	No	\$0
December 20, 2005	Leominster High Student	Leominster	Yes	Yes	\$100	No	No	\$0
February 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
February 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
February 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
February 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100

Individual Student Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation	Fine	Amt of Fine	Collected	Dismissed?	Amt Coll'd
March 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
April 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
May 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
June 1, 2006	Leominster High Student	Leominster	Yes	Yes	\$100	Yes	No	\$100
March 1, 2006	Narragansett Regional High Student	Templeton	Yes	Yes	\$100	Yes	No	\$100
March 1, 2006	Narragansett Regional High Student	Templeton	Yes	Yes	\$100	Yes	No	\$100
March 1, 2006	Narragansett Regional High Student	Templeton	Yes	Yes	\$100	Yes	No	\$100
March 1, 2006	Narragansett Regional High Student	Templeton	Yes	Yes	\$100	Yes	No	\$100
January 11, 2006	Nashoba Technical HS Student	Westford	Yes	Yes	\$100	No	Yes	\$0
January 11, 2006	Nashoba Technical HS Student	Westford	Yes	Yes	\$100	Yes	No	\$100
February 8, 2006	Nashoba Technical HS Student	Westford	Yes	Yes	\$100	No	Yes	\$0
January 26, 2006	Nashoba Technical HS Student	Westford	Yes	Yes	\$100	No	Yes	\$0
February 8, 2006	Nashoba Technical HS Student	Westford	Yes	Yes	\$100	Yes	No	\$100
June 26, 2006	Westford Academy Student	Westford	Yes	Yes	\$100	No	Yes	\$0
November 22, 2006	Westford Academy Student	Westford	Yes	Yes	\$200	Yes	No	\$200
December 1, 2006	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0
December 1, 2006	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0
December 1, 2006	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0
February 9, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
February 9, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
March 7, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
March 15, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100

Individual Student Fines

Citations: Calendar Years 2004-2007

Date of violation	Name of Workplace	Municipality	Citation	Fine	Amt of Fine	Collected	Dismissed?	Amt Coll'd
May 11, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
May 11, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
May 15, 2007	Westford Academy Student	Westford	Yes	Yes	\$200	Yes	No	\$0
September 21, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
September 21, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
September 21, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0
September 21, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0
October 24, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	Yes	No	\$100
November 7, 2007	Westford Academy Student	Westford	Yes	Yes	\$100	No	No	\$0

Individual Worker Fines

Citations: Calendar Years 2004-2007

Date of violation	Individual's Title	Municipality	Citation	Fine	Amt of fine	Collected	Dismissed?	Amt Collected
August 16, 2006	Acton Highway Deptment Employee	Acton	Yes	Yes	\$100	No	No	\$0
December 25, 2006	Acton Highway Department Employee	Acton	Yes	Yes	\$100	No	No	\$0
October 5, 2005	Dudley Town Employee	Dudley	Yes	Yes	\$100	No	Yes	0
April 20, 2006	Taxi Driver	Fall River	Yes	Yes	\$100	Yes	No	\$100
January 9, 2007	Taxi Driver	Fall River	Yes	Yes	\$100	Yes	No	\$100
March 6, 2007	Taxi Driver	Fall River	Yes	Yes	\$100	No	Yes	\$0
August 15, 2007	Taxi Driver	Fall River	Yes	Yes	\$100	Yes	No	\$100
August 15, 2007	Taxi Driver	Fall River	Yes	Yes	\$100	No	No	\$0
June 4, 2007	Atty Alfieri- 1 South Park Ave.	Plymouth	Yes	Yes	\$100	Yes	No	\$100
November 7, 2007	Atty Alfieri- 1 South Park Ave.	Plymouth	Yes	No	\$0	No	Yes	\$0
May 29, 2007	Whitman Animal Control Employee	Whitman	Yes	No	\$0	No	Yes	\$0